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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|---|---|---|---|
| 10/806,127 | 03/23/2004 | Akira Hirose | 119191 | 2111 |

25944          7590          03/18/2009
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| EXAMINER |
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| VO, TED T |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2191 | |

| MAIL DATE | DELIVERY MODE |
|---|---|
| 03/18/2009 | PAPER |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## DETAILED ACTION

1.     This action is in response to the communications filed on 12/30/2008.

Claims 5-8, 10-16 are pending in the application.

### *Response to Arguments*

2.     This is in response to the argument remarks filed on 12/30/2008.

Applicants' argument on their newly added limitation has been considered, but not

persuasive.

Applicants amending the instruction form as:

a. *"the instruction form management apparatus gives a control function to at least
one instruction form execution apparatus to <u>execute a process indicated on the
instruction
form</u>"*

This is merely the attributes within tags in which are put in a XML document to do the

meaning of the tags: example, it is merely tags : <id> </id> for id of instruction forms,

for the name of the file, etc. They are merely tags that is set forth by

XML standard as for a general-purpose *specification* for creating custom markup lanaguage.  It

is compliant to the XML specification.  A basic schema itself indicates an process. See a schema

in Figure 8-3, p. 8-9. It will represent in XML document with tags like Applicants' XML

document, and when process will link to the SQL code calling sequence.  XML document is also

being formated with stylesheet to present execution process for the web, that has been shown in

the example to provide an instruction form for Flight Fider (Figure 4-2, p. 4-7). Thus the

execution of a process is only within the attribute definition of the tags standardized by the XML

specification.

> b. *"the at least one instruction form execution apparatus returns the control*
> *function to the instruction form management apparatus once the instruction form*
> *execution apparatus completes the process indicated on the instruction form."*

It is merely tags within its root tags. For example, Applicants definethat is embedding with XML pair tags , <file connection></file

connection>, <Fax transmission.></Fax transmission>

Examiner fails to find any thing novelty here, except it is compliant to the XML

specification.

It is improper to claim things that are opened in the publics domain, compliant to the XML

specification. For example, see broker.bat in form of XML document that define a process of

generation (see p. 8-70) for an order in Figure 8-13 (p.8-44) and further in the

descriptions up to p. 8-81. It is obvious any bat file is created in the runtime (because it carries

the numbers within the attribute tags entered from the place holder, and then will be deleted by

SQL script, after complement or before another new entry.

In general, the claim is merely claiming a process that is described by an instruction

form. It should be noted that this is only compliant to the XML specification that fails to present

patentability.

## *Claim Rejections - 35 USC § 102*

3.      The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in
> a printed publication in this or a foreign country, before the invention thereof by the
> applicant for a patent.
> (b) the invention was patented or described in a printed publication in this or a foreign
> country or in public use or on sale in this country, more than one year prior to the date of
> application for patent in the United States.

4.      Claims 5-8, 10-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Oracle,

"Oracle9i Case Studies – XML Applications", June 2001.

As per Claim 5 (current amended): ORACLE discloses,

*A computer comprising an instruction form management apparatus* (See p. 8-30, Figure 8-5:

Section Retailer), *wherein the instruction form management apparatus comprises:*

*a storage part that stores an instruction form that indicates a process* (Interpreted as a part of

memory such as retailer-supplier database. The database stores and XML order, i.e. *an*

*instruction form*, which is an XML document with tags defining a process, i.e. how to order

(Figure 8-5, p. 8-30)) *to be executed to a document by at least one of a plurality of instruction*

*form execution apparatuses connected to the instruction form management apparatus via a*

*network* (See the execution such as the execution Figure 8-14, p.8-44 to p.8.47, when execution,

it creates a XML document under a .bat file as of figure 8-18, p. 8-71. These execution files will

be either updated or deleted because it is depending only on the user ID and User inputs.  For

example, ID = 526, and Quantity = 1.  This is obvious. It does not need any reference to use the

language "delete" when another user with different ID inputs with a deferent quantity. It is

obvious that if said another user, for example ID =1, inputs a quantity = 2, then the broker.bat or

Supplier.bat shown in Figure 8-18 is no longer in the database anymore, but a new Broker.bat or

Supplier.bat that is corresponding to ID =1, and quantity=2 will used to run the execution

order/supply);

*an output part that outputs the instruction form to the at least one of the plurality of*

*instruction form execution apparatuses* (For example the bat file in Figure 8-18, or see Figure

8-5, i.e. the XML order from Retailer Database R, this XML order is filled in by user, and

transformed by XSQL Servlet into the "XML order", then sent to Supplier by the user' click on

the "Place Order"); *and*

*a deletion part that causes the instruction form to be deleted from the storage part and from*

*the at least one of the plurality of instruction form execution apparatuses when the process*

*indicated in the instruction form has been completed* (Using SQL script to deletes the orders,

i.e. instruction forms', from Retailer-supplier database Customers table (see, p. 8-28)); *wherein*

*the instruction form management apparatus gives a control function to at least
one instruction form execution apparatus to execute a process indicated on the instruction
form, and*

*the at least one instruction form execution apparatus returns the control
function to the instruction form management apparatus once the instruction form execution
apparatus completes the process indicated on the instruction form.*

See the example of bat file in XML format (e.g. Broker.bat, supplier. Bat, p. 8-77) generated
from a supplier (The same for order entry).

As per claim 6: Oracle discloses,

*The computer according to claim 5,*

*further comprising a determination part that determines whether or not the instruction form*

*includes information to delete the instruction form when the at least one of the instruction*

*form execution apparatuses completes execution of the process indicated in the instruction*

*form, wherein the deletion part deletes the instruction form if the instruction form includes*

*the information to delete the instruction form.*

See all the Figures 8-15 and 8-16, the Figures show the returns with result of completion or

provided the user with the validation or cancel. Figure 8-16 also shows the Order Form filled

with the user input no longer in the Retailer Database R. It should be noted that the deletion is

perform as seen based on batch mode processing, or from the corresponding customer

ID/quantity shown in the bat file (i.e. instruction form). It is deleted by means of using the SQL

script.

As per claim 7: Oracle discloses,

*The computer according to claim 6, wherein the information to delete the instruction form*

*indicates that the instruction form is executed only once.*

See the bat file, the form is executed only one based on quantity order, and the batch mode

processing, when a user performs login or fills with new order.

As per claim 8: reads on Oracle mechanism that using the script to generate XML document as

bat file, for execution in form of a customer order/supplier.

Regarding:

*An instruction form management system comprising at*

*least one instruction form execution apparatus and <u>a computer comprising</u> an instruction*

*form management apparatus* (Using SQL )

*connected via a network, wherein the instruction form management apparatus comprises:*

*a generation part that generates an instruction form that <u>causes</u> a process to be executed to a*

*document by the at least one instruction form execution apparatus; and*

*an output part that outputs the instruction form to the at least one instruction form execution*

*apparatus, and*

*the at least one instruction form execution apparatus comprises:*

*an instruction form reception part that receives the instruction form and a document which is*

*an object of the process;*

*an execution part that executes the process indicated in the instruction form to the document;*

*and*

*a deletion part that deletes the instruction form from the instruction form execution apparatus*

*when the execution part completes the execution of the process indicated in the instruction*

*form; and*

See rationale addressed in Claim 5.

Regarding, *a copying part that forms at least one copied instruction form by copying the*

*instruction form* (the mechanism that hold an  XML document in the database until the XML is

deleted by the batch processing or SQL script), *wherein the deletion part deletes all the copied*

*instruction forms; and*

*the instruction form management apparatus gives a control function to at least
one instruction form execution apparatus to execute a process indicated on the instruction
form, and*

*the at least one instruction form execution apparatus returns the control*
*function to the instruction form management apparatus once the instruction form execution*
*apparatus completes the process indicated on the instruction form.*

See rationale addressed in Claim 5.

<u>As per Claims 10, 11-13, 14-16</u>: Oracle discloses the claimed limitations because the claims have

the functionality in the same manner as the functionality as recited in Claims 5-7.


## *Conclusion*


5.      Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action.  Accordingly, **THIS ACTION IS MADE FINAL**.  See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

        A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action.  In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action.  In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

        Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Ted T. Vo whose telephone number is (571) 272-3706.  The

examiner can normally be reached on 8:00AM to 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Wei Y. Zhen can be reached on (571) 272-3708.

The facsimile number for the organization where this application or proceeding is assigned is the

Central Facsimile number 571-273-8300.

Any inquiry of a general nature or relating to the status of this application should be

directed to the TC 2100 Group receptionist: 571-272-2100. Information regarding the status of

an application may be obtained from the Patent Application Information Retrieval (PAIR)

system. Status information for published applications may be obtained from either Private PAIR

or Public PAIR. Status information for unpublished applications is available through Private

PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov.

Should you have questions on access to the Private PAIR system, contact the Electronic Business

Center (EBC) at 866-217-9197 (toll-free).

TTV
March 06, 2009

/Ted T. Vo/
Primary Examiner, Art Unit 2191